

IN THE DISTRICT COURT OF GUAM  
TERRITORY OF GUAM  
CRIMINAL MINUTES

**FILED**  
DISTRICT COURT OF GUAM

AUG 30 2005

MARY L.M. MORAN  
CLERK OF COURT

CASE NO. CR-05-00053-003

DATE: August 30, 2005

HON. S. JAMES OTERO, Designated Judge, Presiding

Court Reporter: Wanda M. Miles

Hearing Electronically Recorded: 2:06:28 - 2:39:08

Law Clerk: NONE PRESENT

Courtroom Deputy: Leilani Toves Hernandez

CSO: J. Lizama / L. Gogo

\*\*\*\*\* APPEARANCES \*\*\*\*\*

DEFT: JOHN V. M. CRUZ

ATTY: JOAQUIN C. ARRIOLA, JR.

(X) PRESENT ( ) CUSTODY ( ) BOND (X) P.R.

(X) PRESENT ( ) RETAINED ( ) FPD (X) CJA APPOINTED

U.S. ATTORNEY: RUSSELL STODDARD

AGENT: CRAIG HALES, U.S. POSTAL INSPECTOR

U.S. PROBATION: JUDY OCAMPO

U.S. MARSHAL: J. CURRY

INTERPRETER: \_\_\_\_\_ ( ) SWORN LANGUAGE: \_\_\_\_\_

\*\*\*\*\*  
PROCEEDINGS: CHANGE OF PLEA

( ) COMPLAINT READ TO DEFENDANT

( ) FINANCIAL AFFIDAVIT REVIEWED AND ACCEPTED: \_\_\_\_\_, ATTORNEY APPOINTED

(X) DEFENDANT SWORN AND EXAMINED: AGE: 34 SCHOOL COMPLETED: 12<sup>th</sup> Grade

( ) DEFENDANT ARRAIGNED AND ADVISED OF HIS RIGHTS, CHARGES AND PENALTIES

( ) GOV'T SUMMARIZES THE EVIDENCE ( ) GOV'T SUBMITS TO THE PLEA AGREEMENT

(X) COURT QUESTIONS DEFENDANT REGARDING HIS PHYSICAL AND MENTAL CONDITION, AND ADVISES DEFENDANT OF THE NATURE AND POSSIBLE CONSEQUENCES OF SAID PLEA

( ) DEFENDANT WAIVES READING OF ( ) COMPLAINT ( ) INFORMATION ( ) INDICTMENT

(X) PLEA ENTERED: (X) GUILTY ( ) NOT GUILTY - TO: COUNT I

(X) AMENDED PLEA AGREEMENT FILED: 08/30/2005 PLEA: (X) ACCEPTED ( ) REJECTED

( ) COURT ORDERS PLEA AGREEMENT SEALED

( ) COURT REJECTS PLEA AGREEMENT AND REFERS IT TO: \_\_\_\_\_ FOR RECOMMENDATION.

( ) SENTENCING DATE: \_\_\_\_\_ at \_\_\_\_\_ (X) STATUS HEARING: November 28, 2005 at 10:00 a.m.

( ) PRESENTENCE REPORT DUE: \_\_\_\_\_

( ) DEFENDANT TO BE RELEASED ON BOND (see release conditions on page 2)

( ) DEFENDANT REMANDED TO THE CUSTODY OF THE U.S. MARSHAL SERVICE FOR ( ) PROCESSING ( ) DETENTION

( ) DETENTION HEARING REQUESTED BY \_ GOV'T \_ DEFT IS SET FOR: \_\_\_\_\_ at \_\_\_\_\_

(X) DEFENDANT RELEASED ON PERSONAL RECOGNIZANCE BOND AS PREVIOUSLY ORDERED BY THIS COURT

NOTES:

The Court struck the reference to 'ice', in paragraph 2a of the Amended Plea Agreement, and had counsel initial the change by inter-lineation.

Government requested for a status hearing. Defense had no objections. The Court set the matter for status hearing and instructed the defendant that he is on call to his attorney and is to comply with his conditions of release.